

3-239A037

Taylor, Morell & Gitomer

August 27, 1993

Suite 210
919 18th St., N.W.
Washington, DC 20006
(202) 466-6530/FAX (202) 466-6528

Suite 230
310 Golden Shore
Long Beach, CA 90802
(310) 436-2519/FAX (310) 436-5393

Direct Dial: (202) 466-6532

RECORDED IN 9779-~~FE~~

AUG 27 1993 -2 50 PM

INTERSTATE COMMERCE COMMISSION

Honorable Sidney L. Strickland, Jr.
Secretary
Interstate Commerce Commission
Washington, DC 20423

Dear Secretary Strickland:

I have enclosed the original and a certified copy of the document described below, to be recorded pursuant to 49 U.S.C. § 11303.

The document is a Lease Termination Instrument, a secondary document, dated July 12, 1993. The primary document to which this document is connected is recorded under Recordation No. 9779. We request that this document be recorded under Recordation No. 9779-~~FE~~.

The names and addresses of the parties to the Lease Termination Instrument are as follows:

Lessor:

First Security Bank of Utah, N.A.
79 South Main Street
Salt Lake City, UT 84111

Lessee:

AMAX Coal Company
One Riverfront Place
20 N.W. First Street
Evansville, IN 47708-1258

A description of the equipment covered by the document consists of 46 100-ton hopper cars numbered SSIX 5082-5099, 5101, 5103, 5104, 5106-5118, and 5120-5131, all inclusive.

A fee of \$16.00 is enclosed. Please return the original to:

Louis E. Gitomer
Taylor, Morell & Gitomer
Suite 210
919 18th Street, N.W.
Washington, DC 20006

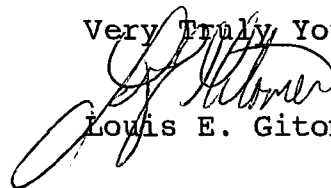
AUG 27 2 47 PM '93
MOTOR OPERATING UNIT

Handwritten signatures and initials on the left margin, including "Hd of" and "C. Gitomer".

Honorable Sidney L. Strickland, Jr.
August 27, 1993
Page 2

A short summary of the document to appear in the index follows: a Lease Termination Instrument, between First Security Bank of Utah, N.A., 79 South Main Street, Salt Lake City, UT 84111, and AMAX Coal Company, One Riverfront Place, 20 N.W. First Street, Evansville, IN 47708-1258, covering 46 100-ton hopper cars numbered SSIX 5082-5099, 5101, 5103, 5104, 5106-5118, and 5120-5131, all inclusive.

Very Truly Yours,



Louis E. Gitomer

9779 F
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LEASE TERMINATION INSTRUMENT INTERSTATE COMMERCE COMMISSION

The undersigned hereby certify that the Equipment Lease, dated as of September 1, 1978, between FIRST SECURITY BANK OF UTAH, N.A., not in its individual capacity but solely as trustee under a Master Trust Agreement dated as of October 1, 1976, as lessor, and AMAX COAL COMPANY, as lessee, (the "Lease") recorded by the Interstate Commerce Commission on October 17, 1978 under Recordation Number 9779, has terminated as to 46 100-ton Hopper Cars bearing road numbers SSIX 5082-5099, 5101, 5103, 5104, 5106-5118, 5120-5131, inclusive, (the "Equipment") and further certify that the Equipment covered thereby is no longer subject to the terms thereof.

This Lease Termination Instrument is solely for the purpose of releasing the Equipment from the Lease and is without prejudice to the rights and obligations of the parties under the Lease.

Dated: July 12, 1993

LESSEE:

AMAX COAL COMPANY

By: A. Frank Dunham
A. Frank Dunham

Its: President

LESSOR:

FIRST SECURITY BANK OF UTAH, N.A.,
not in its individual capacity but
solely as trustee under a Master
Trust Agreement dated as of
October 1, 1976

By: _____

Its: _____

LEASE TERMINATION INSTRUMENT

The undersigned hereby certify that the Equipment Lease, dated as of September 1, 1978, between FIRST SECURITY BANK OF UTAH, N.A., not in its individual capacity but solely as trustee under a Master Trust Agreement dated as of October 1, 1976, as lessor, and AMAX COAL COMPANY, a Division of Amax, Inc., as lessee, (the "Lease") recorded by the Interstate Commerce Commission on October 17, 1978 under Recordation Number 9779, has terminated as to 46 100-ton Hopper Cars bearing road numbers SSIX 5082-5099, 5101, 5103, 5104, 5106-5118, 5120-5131, inclusive, (the "Equipment") and further certify that the Equipment covered thereby is no longer subject to the terms thereof.

This Lease Termination Instrument is solely for the purpose of releasing the Equipment from the Lease and is without prejudice to the rights and obligations of the parties under the Lease.

Dated: July 12, 1993

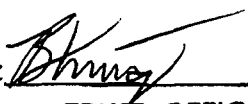
LESSEE:

AMAX COAL COMPANY, a division of Amax, Inc.

By: _____
Its: _____

LESSOR:

FIRST SECURITY BANK OF UTAH, N.A., not in its individual capacity but solely as trustee under a Master Trust Agreement dated as of October 1, 1976

By: 
Its: TRUST OFFICER

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

On July 12, 1993 before me, Virginia A. Sickman, the undersigned Notary Public, personally appeared A. Frank Dunham, personally known to me or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument as President of Amax Coal Company, and acknowledged that he executed it.

Witness my hand and official seal.

Virginia A. Sickman
Notary Public

STATE OF)
) SS:
COUNTY OF)

On _____, 19__, before me, _____, the undersigned Notary Public, personally appeared _____, personally known to me or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument as _____ of _____ and acknowledged that _____ executed it.

Witness my hand and official seal.

Notary Public

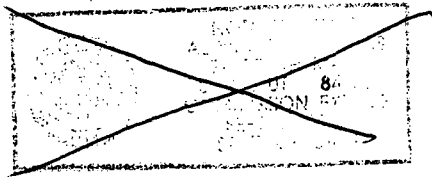
for attachment only to the Lease Termination Instrument

STATE OF
COUNTY OF

)
) ss.
)

On _____, 19__, before me _____, the undersigned Notary Public, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument as _____ of _____ and acknowledged that _____ executed it.

Witness my hand and official seal.



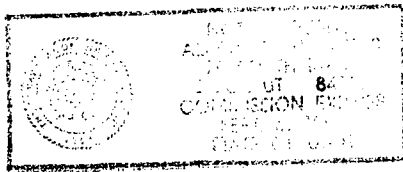
~~Allysa F. Lumantas~~
~~Notary Public~~

STATE OF Utah
COUNTY OF Salt Lake

)
) ss.
)

On _____, 19__, before me _____, the undersigned Notary Public, personally appeared Brett R. King, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument as Trust Officer of First Security Bank of and acknowledged that he executed it.
Utah, U.A.

Witness my hand and official seal.

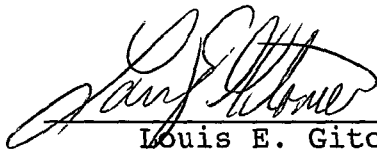


Allysa F. Lumantas
Notary Public

for attachment only to the Lease Termination Instrument

CERTIFICATION

I, LOUIS E. GITOMER, have compared this copy of the original Lease Termination Instrument dated July 12, 1993, and found the copy to be complete and identical in all respects to the original document. I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in dark ink, appearing to read "Louis E. Gitomer", is written over a horizontal line.

Louis E. Gitomer
August 27, 1993